

REMARKS

Reconsideration of the Final Office Action mailed July 2, 2007, (hereinafter "instant Office Action") and withdrawal of the rejection of claims 21-27, 32 and 33 are respectfully requested.

In the instant Office Action, claims 1-88 are listed as pending, claims 1-20, 28-31 and 34-88 are withdrawn from consideration and claims 21-27, 32 and 33 are listed as rejected.

The Examiner has not repeated the rejection of claims 21-27, 32 and 33 under 35 U.S.C. §112, first paragraph, alleging that the specification, while being enabling for the atomic coordinates for residues 802-1124 of Tie-2 and Inhibitor III complex, allegedly does not reasonably provide enablement for the atomic coordinates of an unbound version of a Tie-2 polypeptide or atomic coordinates of the complete polypeptide of Tie-2 and Inhibitor III complex. Therefore, Applicants presume that the arguments and amendments submitted in the Request for Continued Examination filed November 17, 2006 were persuasive and the rejections have been withdrawn. Applicants respectfully request that the Examiner correct the record to reflect that this rejection has been withdrawn.

The Examiner has not repeated the rejection of Claims 21-27, 32 and 33 under 35 U.S.C. §112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the invention was filed, had possession of the claimed invention. Therefore, Applicants presume that the arguments and amendments submitted in the Request for Continued Examination filed November 17, 2006 were persuasive and the rejections have been withdrawn. Applicants respectfully request that the Examiner correct the record to reflect that this rejection has been withdrawn.

The Examiner has not repeated the rejection of claims 21, 22 and 26 under 35 U.S.C. §103(a) as allegedly being unpatentable over Chen et al (P/N 6,160,092) in view of *In re Gulack* (703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983)). Therefore, Applicants presume that the arguments and amendments submitted in the Request for Continued Examination filed November 17, 2006 were persuasive and the rejections have been withdrawn. Applicants respectfully request that the Examiner correct the record to reflect that this rejection has been withdrawn.

The Examiner has not repeated the rejection of claims 21-27 under 35 U.S.C. §103(a) as allegedly being unpatentable over Chen et al (P/N 6,160,092) in view of *In re Gulack* (703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983)), *In re Best* (195 USPQ 430) and *In re Fitzgerald* (205 USPQ 594) and Ziegler (P/N 5,447,860). Therefore, Applicants presume that the arguments and amendments submitted in the Request for Continued Examination filed November 17, 2006 were persuasive and the rejections have been withdrawn. Applicants respectfully request that the Examiner correct the record to reflect that this rejection has been withdrawn.

The Examiner has not repeated the rejection of claims 21-27 under 35 U.S.C. §103(a) as being unpatentable over Chen et al. (P/N 6,160,092) in view of Vikkula et al. (Cell, 1996, Volume 87, pages 1181-1190) and *In re Best* (195 USPQ 430) and *In re Fitzgerald* (205 USPQ 594). Therefore, Applicants presume that the arguments and amendments submitted in the Request for Continued Examination filed November 17, 2006 were persuasive and the rejections have been withdrawn. Applicants respectfully request that the Examiner correct the record to reflect that this rejection has been withdrawn.

The Examiner has maintained the rejection of claims 21-27, 32 and 33 under 35 U.S.C. §112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Without conceding the correctness of the Examiner's rejections and for the sole purpose of advancing the prosecution of the instant application to place it in condition for allowance, Applicants have amended claim 21 to insert "potential" before "inhibitor" in the first and eighth lines of claim 21. Support for this amendment can be found, *inter alia*, at page 2, line 17, page 4, lines 1-10 and page 25, line 25 to page 26, line 1, of the application as originally filed.

Based upon the foregoing, the rejection of claims 21-27, 32 and 33 under 35 U.S.C. §112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention, is obviated and should be withdrawn.

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No fees are due for the instant amendment since the total number of claims after entry of the amendments hereinabove is not more than the total number of claims that Applicants have paid for to date.

Based upon the foregoing, Applicants believe that claims 21-27, 32 and 33 are in condition for allowance. Prompt and favorable action is earnestly solicited.

If the Examiner believes that a telephone conference would advance the condition of the instant application for allowance, Applicants invite the Examiner to call Applicants' agent at the number noted below.

Respectfully submitted,

Date: October 11, 2007

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